

**General Plan Update
Interest Group Meeting Minutes
June 30th, 2009**

Interest Group Members

Scott Thomas	American Institute of Architects
George Courser	Back Country Coalition
Diane Coombs	Citizen Coordinate for Century 3
Carolyn Chase	SD Coalition for Transportation Choices
Dan Silver	Endangered Habitat League
Phil Pryde	San Diego Audubon
Wallace Tucker	SD Coalition for Transportation Choices
Jim Whalen	Alliance for Habitat Conservation
Matt Adams	Building Industry Association
Chris Anderson	San Diego Association of Realtors
Dave Shibley	Save Our Land Values
Greg Lambron	Helix Land Company
Karen Messer	Buena Vista Audubon Society
Liz Higgins	East County Construction Council
Eric Larson	Farm Bureau

Public at Large

Doug Paul
Rich Volker
Bruce Warren
Jessica Hansen
Jon Rilling
Karla Cohn

County Staff:

Devon Muto (DPLU)
Bob Citrano(DPLU)
Mindy Fogg(DPLU)
Jimmy Wong (DPLU)
Eric Lardy (DPLU)

Agenda Item I: Introductions

Mr. Muto began the meeting with introductions of staff and Interest Group (IG) members. Mr. Muto explained that the meeting was intended to be an informational meeting.

Mr. Muto provided a status to the group on the General Plan update project. He explained that in May, staff had presented progress reports to both the Board of Supervisors and Planning Commission. Mr. Muto stated that the Board of Supervisors had made two action items; the first was to continue to process plan amendment authorizations pursuant to Board policy I-63, and the second was to modify the legislative intent regarding decoupling. Mr. Muto further explained that Supervisor Jacob had provided minor language changes for the legislative intent, the edits were to change the wording of the intent from “parcel sizes should be smaller than the corresponding general plan designation” to “parcel sizes could be the same or smaller”. Mr. Muto stated that staff will be providing a draft that reflects these changes for the Board of Supervisor in the future. Mr. Muto stated that details are further explained in the Board of Supervisor minute order which is available online.

Mr. Muto provided a status on other Advance Planning related projects:

- The Farm Employee Housing Zoning Ordinance Amendment will be out for public review shortly.
- Staff was directed by the Board of Supervisors to bring forth a zoning amendment regarding medical marijuana facilities.
- Staff is also working on a Zoning Ordinance clean up

Mr. Muto referred the group to the Alternative Wastewater/ Septic System handout which was provided by the Department of Environmental Health. He explained that the handout was intended to keep the IG informed of what changes were being proposed.

Mr. Dave Shibley stated that he had previously heard discussions regarding alternative septic systems that were designed to burn waste on site, and asked for a status on allowing the use of such a system in the County. Mr. Shibley also expressed his concerns with existing septic system regulations, and requested that alternative waste systems be seriously looked into to provide greater flexibility.

Mr. Muto explained that alternative waste systems are only currently allowed for new development, and are heavily regulated by the State. Mr. Muto stated that perhaps a specialist from DEH could come in and speak to the IG regarding this matter.

Mr. Whalen recommended Mark McPherson from DEH come speak to the IG. Mr. Jim Whalen requested clarification on an issue regarding micro-septic systems and how small a lot must be to utilize such a system, he was told ¼ of acre, which contradicts what County staff has previously stated. Mr. Whalen commented that there are similar issues that require further clarification.

Mr. Jim Whalen stated that he believes alternative waste systems are a critical component of the General Plan Update, and recommended that Mark McPherson provide a presentation to the IG in the near future.

Agenda Item II: Approval of May 1st, 2009 Minutes [Action Item]

Mr. Muto referred to the May 1st, 2009 IG meeting minutes and asked the group if there were any questions regarding the minutes.

Mr. Shibley motioned to approve, Mr. Whalen seconded the motion. The meeting minutes were approved (12/0/4).

Agenda Item III: Discussion of the Draft EIR, Draft GP, Draft Community/Subregional Plans, Draft Implementation Plan, and the Revised Conservation Subdivision Program

Mr. Muto explained that staff was very pleased to reach this important milestone in the project, and that at today's IG meeting, members would be receiving hard copies of new draft work products.

Mr. Citrano explained that all IG members are being provided a hard copy of the revised draft General Plan which has been printed in strike-out and underline format. Mr. Citrano explained that changes were made to the document in response to the 450 comment letters received, which are available for public viewing on the GP website.

Mr. Citrano stated that in addition to the draft GP, IG members are being provided with a CD containing the General Plan draft EIR and the draft Implementation Plan.

Mr. Courser asked if the edits were based solely on the 450 pages of comment letters, or if there was additional staff input.

Mr. Muto stated that he could not think of any substantial revisions that were not linked directly to a comment letter. Mr. Muto stated that staff did also have County Counsel, and internal departments review.

Mr. Courser stated that the Back Country Coalition had sent in comment letters regarding evacuation, and he did not see the word mentioned anywhere in the document. Mr. Courser asked if the 60-day review period for the draft EIR also included the draft General Plan. Mr. Muto stated that the 60-day review period was flexible for the draft General Plan but not the draft EIR.

Mr. Whalen asked how staff interpreted the change of legislative intent from the Board of Supervisors.

Mr. Muto stated that Staff interpreted the change in legislative intent to be consistent with how the General Plan was intended to be implemented. Mr. Muto stated that it was his understanding

that the Board of Supervisors did not want to commit to smaller lot sizes everywhere in the County, but only in some cases.

Mr. Adams asked for reassurances that the housing units described in the General Plan could actually be realized thru the goals and policies and also the conservation subdivision program. Mr. Muto stated that the assurances are located in the Goals and Policies of the General Plan.

Mr. Adams asked if it was possible to create a mock scenario or graphic example comparing a project being developed under existing regulations as opposed to the proposed changes. Mr. Muto explained that staff had previously provided Conservation Subdivision examples that are available online. Mr. Muto also stated that staff could look into providing more theoretical examples of the program if necessary.

Mr. Shibley stated that he had the same concerns as Mr. Adams and Mr. Whalen regarding the consistency between the Zoning Ordinance and the proposed Conservation Subdivision Program.

Mr. Silver stated that in a previous IG meeting, Mr. Muto had stated that minimum lot sizes would be determined by the Subdivision Ordinance, and it would not be written into the Community Plans which he felt was critical. Mr. Silver stated that he was concerned after reading the previous Steering Committee (SC) meeting minutes that a representative from Valle De Oro was urging other communities to place minimum lot sizes back into the community plans.

Mr. Muto stated that some communities have requested restrictions on the Conservation Subdivision Program. Mr. Muto explained that staff felt that if there was a scenario within a community that warranted additional restrictions staff would consider these. Mr. Muto explained that in Valle De Oro what is proposed is a minimum lot size formula using criteria, which he believed could work in a community that has been built out such as Valle De Oro.

Mr. Muto stated that there have been a few communities who have requested additional restrictions and these plans were available for review.

Mr. Silver asked if these additional restrictions regarding minimum lot sizes were supported by staff. Mr. Muto stated that in some cases staff did not feel comfortable with supporting the language, and in those cases notes have been made regarding staff position on the matter.

Mr. Silver stated that he was concerned with allowing minimum lot sizes in the community plans, and requested a summary of what was being proposed in each individual community. Mr. Muto agreed, and stated that staff would prepare a summary of community plan policies regarding Conservation Subdivision Program and minimum lot sizes.

Ms. Coombs stated that she was concerned with the weak language that was in the conservation subdivision program. She also expressed her concerns regarding global climate change and the revised General Plan and that she felt the Conservation Subdivision Program was an important tool in complying with SB375 and AB32. Ms. Coombs stated that she would be submitting comments on the relationship of the General Plan and Global Climate Change (GCC).

Mr. Muto stated that the approach with the Conservation Subdivision Program is not to mandate, but instead is to provide flexibility for the applicants to choose how they want to design their property. Mr. Muto stated that the difficulty in creating such a broad program is that the County is very large and diverse and it is difficult to tailor a program for the entire County.

Mr. Lambron asked why the Specific Plan Area designation had been removed out of the General Plan Update. Mr. Muto stated that the designation is a good tool but has resulted in challenges with different projects.

Mr. Shibley stated that if the Community Plan policy is inconsistent with the General Plan then it should not be in the Community Plan. Mr. Shibley also asked if there has been any discussion with LAFCO regarding this matter.

Mr. Muto stated that LAFCO would be consulted, and he would present any new findings to the group when the information becomes available.

Ms. Higgins asked if the General Plan took into account economic impacts in the County. Mr. Muto stated that in the beginning of the process staff looked at broad economic factors, but since has not circled back to do any analysis. Mr. Muto stated that staff did not feel that there was a significant need to analyze economic factors because of the Plan's guiding principles.

Ms. Higgins asked if staff would be doing any economic analysis on the General Plan. Mr. Muto stated that the County is not planning to do so because it is not required by CEQA.

Mr. Lambron asked if there was any language in the document regarding property owners who have been down-zoned. Mr. Muto stated that information has been presented to the Planning Commission and Board of Supervisors regarding this matter, any further detail would require specific site analysis.

Mr. Lambron stated that if the Conservation Subdivision Program is not successfully drafted then it could lose the support of both the environmentalist and developers.

Mr. Larson stated that equity mechanisms were still not mentioned anywhere in the document, and asked for a status on when the IG would see a draft proposal. Mr. Muto stated a consultant will be brought in to provide a draft program, and this would be underway shortly. Mr. Muto stated that funding has already been identified for a consultant, but one has not been selected.

Mr. Shibley stated that he wanted the group to be sure to understand that the term equity mechanism will only be applied to agricultural lands, and that he believes that the decision appears to have been made higher up in management.

Mr. Whalen stated that Carlsbad utilizes a unit bank and that the County should consider a similar program.

Ms. Fogg briefly gave an overview of the supplied materials regarding the Draft GP EIR.

Mr. Adams referred to the biological section in the EIR and asked how the General Plan coincided with MSCP. Ms. Fogg stated that the General Plan Update coincides very well with MSCP.

Ms. Messer expressed her concerns with the narrowness of the biological section in that the EIR does not cover large areas such as oak woodlands and large intact areas where there is no sensitive species.

Mr. Muto stated that staff has followed the State guidelines very closely, and that he believed after doing a more extensive review of the draft EIR Ms. Messer would find that the topics are actually covered in great detail.

Mr. Whalen asked where the cumulative analysis was in the document. Ms. Fogg stated that it is a subsection under every topic.

Ms. Coombs stated that there were two factors that potentially threaten the validity of existing and future MSCP program — wildland fires and GCC. Ms. Coombs asked if staff had looked into this matter. Mr. Muto stated that staff has looked into these impacts to the greatest extent practical. Mr. Muto explained that there is a lot of new information still coming out regarding GCC and staff will be closely monitoring this.

Mr. Courser asked if there were proposed changes to the RPO and BMO. Mr. Muto stated that there have been some initial discussions on revisions to the RPO but nothing has been finalized. Ms. Fogg stated that changes to the BMO are being proposed by MSCP and not by the General Plan Update.

Mr. Adams asked why a comparison was not made regarding the existing General Plan and the proposed General Plan Update in regards to the significant reductions amounts of GHG gas emissions. Mr. Muto explained that CEQA does not allow for a plan to plan analysis but instead Staff must analyze the impacts to an identified baseline.

Mr. Citrano introduced the Draft Implementation plan, and provided a brief overview to the IG.

Mr. Muto stated that the Implementation Plan was a flexible program that could be modified as needs arise. Mr. Muto explained that the County is required to provide an annual report to the Board of Supervisors and the Implementation Plan would be a good way to accomplish this.

Mr. Whalen expressed the importance of the Implementation Plan, and asked how often staff would be updating the Implementation Plan. Mr. Muto stated that the plan would be updated on an annual basis.

Mr. Whalen stated that there was a large amount of material distributed at the meeting and asked Mr. Muto what the group should focus its review. Mr. Muto stated that the group's primary focus should be on the draft GP EIR during the 60-day review period.

Mr. Adams stated his concerns with not having adequate time to thoroughly review the large amount of material.

Ms. Higgins made a motion to extend the 60-day review period of the draft GP EIR to 90 days. Mr. Lambron seconded the motion

Devon stated that he could not extend the review period for the draft GP EIR, and that typical EIR review period is only 45 days.

Ms. Messer stated that she wanted to recognize the major milestone that the group has made in the process and congratulated staff.

Mr. Muto asked the group for comments on the motion from Ms. Higgins.

Mr. Adams asked if it was possible to extend an additional 30 days for the other General Plan Update documents to 90 days. Mr. Muto stated that he would need to assess the schedule to make a determination.

Mr. Shibley amended the original motion from Ms. Higgins to extend the review period on the General Plan, and Implementation plan for an additional 30 days, but not the draft EIR.

Ms. Higgins stated that there was a tremendous amount of materials distributed at the meeting that the group must review and asked why the proposed extension period could not also apply to the draft GP EIR.

Mr. Muto stated that staff is currently working on a tight time frame to complete the General Plan Update on schedule. Mr. Muto stated that it is standard practice in the planning profession and in other cities and counties not to release public documents for prolonged periods of time.

Ms. Messer stated that it might be in the group's best interest to keep the update process going instead of prolonging the review period.

Mr. Adams stated that he was supportive of the original motion to extend all documents by 30 days, just to make sure all the comments are done appropriately.

Ms. Higgins reinstated her original motion to extend all the review period an additional 30 days for all the documents.

Motion Passed (14/4/0)

Agenda Item IV: Public Comment

Mr. Palmer commented that a summary of all the distributed documents would be beneficial, and also if possible in the near future to obtain information on the number of properties down zoned in the County.